

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**JANE DOE I, JANE DOE II AND  
JANE DOE III,**

**Plaintiffs,**

**v.**

**EMMANUEL CONSTANT, a.k.a.  
TOTO CONSTANT,**

**Defendant.**

**Civil Action No. 04-CV-10108 (SHS)**

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK     )  
                                      ) ss.:  
COUNTY OF NEW YORK    )

RICARDO R. BURNHAM, being duly sworn deposes and says:

1. I am over the age of 21 years and not a party to this action.

2. I am employed as a professional investigator by the investigation firm of Safir Rosetti, which is located at 437 Madison Avenue, New York, NY 10022. My employer was retained by counsel for the Plaintiffs in the above-captioned action for the purpose of performing service of process. I have personal knowledge of the facts set forth below and, if called as a witness, could and would competently testify thereto.

1. On January 14, 2005, at approximately 1:00 p.m., I served a true and correct copy of the Summons and Complaint, filed on December 22, 2004, upon the defendant, Emmanuel Constant, in front of the federal building located at 26 Federal Plaza, near the Duane Street entrance of the building.


2. I knew that the man I served was Emmanuel Constant based on the following facts:

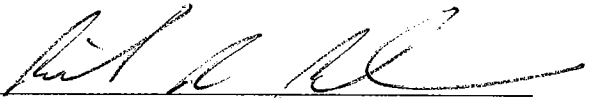
a. It was publicly reported in the media that Mr. Constant had a weekly appointment

to check in with immigration officials at 26 Federal Plaza in Manhattan. I learned that his weekly appointment was scheduled for every Friday.

- b. Based on the information that I received I understood that Mr. Constant was a Haitian male, approximately 50 years of age, at least six feet tall, with black hair and brown eyes.
- c. On Friday, January 14, 2005, I had in my possession three different photographs of Emmanuel Constant which had been published by CNN, *The Washington Post*, and Amnesty International.
- d. I located the man depicted in these photos inside the immigration building located at 26 Federal Plaza, and I followed him as he exited the building. Once outside the Duane Street entrance to 26 Federal Plaza, I called to the man, "Mr. Constant." Upon hearing me, the man stopped walking and turned around to face me and replied, "Yes."
- e. As we came face to face, I confirmed that this man was the same man in the photos who had been identified by CNN, *The Washington Post*, and Amnesty International as Emmanuel Constant. I also confirmed that he matched the physical description that I had received of Mr. Constant.
- f. I handed him the Summons and Complaint, which he took into his custody and possession.

Sworn to before me this 1 day of January,  
2006

  
\_\_\_\_\_  
Notary Public

  
\_\_\_\_\_  
Ricardo R. Burnham

DONA A. NELSON  
Notary Public, State Of New York  
No. 01NE5033344  
Qualified In Orange County  
Commission Expires: 9/30/06